

**BOARD OF COUNSELING  
DRAFT MINUTES  
QUARTERLY BOARD MEETING  
October 26, 2007**

**TIME & PLACE:** The meeting was called to order at 9:40 AM on October 26, 2007 in Board Room 2 at the Department of Health Professions, Mayland Drive, 2<sup>nd</sup> Floor, Richmond, Virginia.

**PRESIDING:** Linda Seeman, Ph.D., Chair

**MEMBERS PRESENT:** Mary Lou Argow  
Donnie G. Conner, Ph.D.  
Kevin Doyle, Ed.D.  
Philip Haber  
Nan Harris  
Sandra Malawer  
Charles McAdams, Ed.D.  
Eric McCollum, Ph.D.  
Yvonne Ortega  
William R. Scott, Ph.D.  
Linda K. Seeman, Ph.D.  
John Penn Turner  
Natale Ward

**MEMBERS ABSENT:** Vivian Sanchez-Jones

**STAFF PRESENT:** Emily Wingfield, Deputy Director, DHP  
Elaine Yeatts, DHP Senior Policy Analyst  
Howard Casway, Sr. Assistant Attorney General  
Evelyn B. Brown, Executive Director  
Patricia Larimer, Deputy Executive Director  
Diana Pollick, Administrative Assistant

**WELCOMING OF NEW MEMBERS:** Dr. Seeman welcomed new Board member Eric McCollum, Ph.D. from Virginia Tech and introductions were made.

**ORDERING OF AGENDA:** Dr. Seeman opened the floor to any changes in the agenda. The agenda was accepted.

**PUBLIC COMMENT:**

Anne Allen, representing VCU's Department of Rehabilitation Counseling (DRC) addressed the Board stating that it is their intent to develop a collaborative relationship with the Board and faculty members will be in attendance at future meetings. Ms. Allen also stated that in the future students in the Department of Rehabilitation Counseling program will be required to attend one Board meeting.

**APPROVAL OF MINUTES:**

A motion was made by Mary Lou Agrow to approve the minutes of the October 29, 2007 Board meeting with corrections as noted. Donnie Conner seconded the motion which passed unanimously.

**CHAIR'S REPORT:**

Dr. Seeman requested that Board members not commit to speaking engagements in which they would be representing the Board without contacting Evelyn Brown and receiving authorization which is DHP policy.

Dr. Seeman requested all Board members requiring document preparation by Board staff have their requests and materials in the Board office three weeks prior to the upcoming Board meeting. If Board members cannot meet this deadline they should be responsible for their own document copying.

Dr. Seeman further reported that it might be in the best interest of the Board to explore continuous electronic testing for licensure applicants. Currently the exam is given three times a year which restricts the time frame for applicants' licensure. The satisfaction surveys received from new licensees reflect dissatisfaction with the exam process which affects the Board's customer service performance goals. John Penn Turner moved that the Board invite the National Board for Certified Counselors, to the February Board meeting to discuss these issues. Charles McAdams seconded the motion which passed unanimously. Ms. Brown will extend the invitation noting the Board's concerns and topics of discussion.

**EXECUTIVE:  
DIRECTORS  
REPORT**

**EVELYN BROWN:** Ms. Brown reported that the Governor's budget reports a shortfall and that shortfall will have an effect on DHP even though DHP is self-funded. Conference attendance will be the area mainly effected for board members and staff. Most likely only one board member will be approved to attend conferences. Ms. Wingfield explained that since this Board consists of licensees holding LPC's, MFT's and LSATP's that there is a possibility that two board members could be approved.

Ms. Brown also reported that at the current time the Behavioral Sciences unit has experienced the resignation of two full time staff and one part time position and steps are being taken to expedite the hiring process.

Ms. Brown suggested the Board consider allowing continued competency credit to licensees who attended Board meetings as is done with other boards in the DHP. Ms. Brown also suggested that attending informal and formal hearings, as well as regulatory committee meetings, would be an educational experience. This topic will be assigned to the Continued Competency Committee to review and report to the Board at the February meeting.

Ms. Brown announced that the New Board Member Training will be held on Wednesday, November 28, 2007 and that all new board members are requested to attend and the training is open to other Board members who wish to attend, depending on space availability.

**DEPUTY  
EXECUTIVE  
DIRECTOR  
REPORT:**

**PATRICIA LARIMER:** Ms. Larimer presented a Consent Order for ratification in the matter of John Green, CSAC-A. John Penn Turner made a motion to accept the Consent Order with Natale Ward seconding the motion which passed unanimously.

Ms. Larimer presented the 2007 Continued Competency Audit Plan with 2% of each license being randomly selected.

Ms. Larimer announced that the Formal Hearing scheduled for immediately after the adjournment of the board meeting had been cancelled due to the applicant calling the board office on the afternoon of October 25, 2007 requesting a cancellation.

**COMMITTEE  
REPORTS:**

**Board of Health Professions: John Penn Turner**

Ms. Turner reported that AARP is moving forward on the issue of having continued competency testing based on the philosophy that the accrual of competency hours does not assure competence. AARP initially approached the BHP to study this effort but BHP does not have the resources to accommodate such a request. Emily Wingfield stated that AARP is planning to approach the legislature and that eventually this will most likely end up as a study by the Joint Commission on Health Care.

Mr. Turner further reported that the BHP is recommending the removal of all notices from the website if allegations were unfounded or if cases are closed as “no violation” for all boards in DHP. This is currently being done in the Board of Medicine.

**Regulatory Committee: Kevin Doyle:** Dr. Doyle presented the Petition for Rulemaking regarding a request to amend the regulations to allow an MFT applicant to have their coursework reviewed by an MFT licensee preferably affiliated with COAMFTE. Discussion followed. Mary Lou Argow made a motion to deny this Petition. Yvonne Ortega seconded the motion which passed unanimously.

Dr. Doyle reported that the minutes of the August 9, 2007 Regulatory Committee meeting reflected that

**the Regulatory Committee would present to the Board their recommendation to keep “CORE” in the regulations, in response to public comment received at that meeting and that the Committee is now presenting that recommendation to the Board. Charles McAdams moved that “CORE” not be removed from the regulations and will remain in every instance where the removal had been proposed to be removed. Mary Lou Argow seconded the motion which passed unanimously.**

**Dr. Doyle presented public comment submitted regarding the requirements for residency, endorsement and portability, specifically in 18VAC 115-50-60 the experience requirement to have worked 5 of the last 6 years immediately preceding licensure application by endorsement. The comment stated this did not give consideration to those working in the field for many years who chose to take time off to care for family or other personal needs. Discussion followed. Mary Lou Argow made a motion to keep the language as stated in the proposed regulations. John Penn Turner seconded the motion which passed unanimously.**

**Dr. Doyle then presented Public Comment regarding the language in 18VAC 115-20-52(B)(2), 18VAC115-50-60(B)(2), and 18VAC 115-60-80(C)(2) regarding the Board proposal of a minimum of one hour and a maximum of two hours of supervision for every 40 residency hours worked. Discussion followed. It was determined that this wording was restrictive and needed to be more flexible. Mary Lou Argow made a motion to amend the language in the proposed regulations to read “a minimum of one hour and a maximum of four hours of supervision for every 40 residency hours worked”. Kevin Doyle seconded the motion. The motion passed unanimously.**

**John Penn Turner made a motion to adopt the final regulations on Portability, Supervision and Residency with all amendments stated above. Mary Lou Argow seconded the motion which passed unanimously.**

**Dr. Doyle and Dr. McAdams then presented some results of research regarding electronic counseling. An Informed Consent form developed for electronic counseling and the APA Code of Ethics was distributed. Dr. McAdams reported that the graduate students who have been doing the research are near completion (60% done) and a report will be presented to the Regulatory Committee in February. Dr. McAdams mentioned that the Arkansas model on policy development, as well as AASCB's policy development might be valuable for the Regulatory Committee to review. These documents will be in the agenda packet for the February Regulatory meeting.**

**Credentials Committee: No Report**

**Public Relations Committee: Philip Haber**

**Mr. Haber suggested that in lieu of a newsletter the Board consider a yearly update of a website page consisting of discipline reports, continued competency audits, a letter from the Chair, conference reports and other items of interest. Discussion followed. A suggestion was made to issue smaller newsletters on a more regular basis. There was discussion about whether a website update would have any more appeal to readers than an electronic newsletter.**

**OLD BUSINESS:**

**NONE**

**NEW BUSINESS:**

**Mary Lou Argow brought to the Board's attention A concern from a licensee that there were licensees treating substance abuse clients but not requiring a urine screen. Discussion followed. It was determined that the board does not specify treatment modalities**

**and if clients or other professionals have concerns or complaints about therapy services rendered they need to file a complaint with Enforcement .**

**Kevin Doyle reported that on November 8, 2007 Evelyn Brown, Dr. Seeman and Dr. McAdams will be Presenting at the Virginia Counselors Association.**

**Dr. Seeman reported that the American Counseling Association Conference will be focused on the vision of the future of counseling.**

**Evelyn Brown commented on the VCU presence at the Board meeting and suggested that the Board do more outreach with other graduate counseling programs in Virginia to encourage participation at board meetings.**

**NEXT MEETING DATE: February 7 & 8, 2008**

**ADJOURN: John Penn Turner moved to adjourn the meeting at 12:40 P.M. Yvonne Ortega seconded the motion which passed unanimously.**